



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

FEB 13 2001

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EPA-REGION 4  
ATLANTA, GA

4WD-ERRB

Mr. Greg Lee, Administrator  
Bureau of Emergency Response  
Florida Department of Environmental Protection  
3900 Commonwealth Blvd.  
Tallahassee, FL 32399-3000

Dear <sup>Greg</sup>Mr. Lee:

We are pleased to provide a copy of the Emergency Action Memorandum for the removal action at the Mulberry Phosphates, Mulberry and Piney Point, Florida. If you have any questions or comments concerning this document, please contact the On-Scene Coordinator at the following address:

Ted Walden  
On-Scene Coordinator  
U.S. Environmental Protection Agency  
4WD-ERRB  
61 Forsyth Street, 11th Floor  
Atlanta, Georgia 30303  
(404) 562-8752

Sincerely,

Myron D. Lair, Chief  
Emergency Response & Removal Branch

cc: Joanne Benante-SSMB  
Jim McGuire-SSMB



10765287

**U.S. ENVIRONMENTAL PROTECTION AGENCY  
\$200,000 EMERGENCY ACTION MEMORANDUM**

**Date:** February 5, 2001

**Subject:** **SPECIAL POLREP**  
**NOTIFICATION OF \$ 200,000 ACTIVATION**  
Mulberry Phosphates  
Mulberry and Piney Point, Florida

**From:** Ted Walden OSC, Region 4

**To:** Regional Response Center, 4WD-ERRB  
Florida DEP  
EPA-HQ Regional Coordinator

**Site No:** A43X

**Delivery Order No:** 4009-F4-036

**DO Amount:** \$175,000.00

**Contractor:** IT Corporation

**CERCLIS No:** FLD004106415

**ERNS NO:** N/A

**Response Authority:** CERCLA

**NPL Status:**

**State Notification:** 02/02/2001

**Start Date:** 02/05/2001

**Demobilization Date:** \_\_/\_\_/\_\_

**Completion Date:** \_\_/\_\_/\_\_

## **I. INTRODUCTION**

A removal site evaluation performed on February 2, 2001 by On-Scene Coordinator Terry Stilman and representatives from the Florida Department of Environmental Protection, in accordance with the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR Part 300.410, has determined that there is a threat to public health or welfare or the environment posed by the presence of more than one billion gallons of low pH (less than 2) waste water at the facilities in Mulberry and Piney Point, Florida. These substances contain radium, chromium and other substances which are CERCLA Hazardous Substance. This waste water is contained within impoundments that threaten to release to area surface waters. A previous 50 million gallon release of these same waste waters killed all fish and plant life in the Alafia River. Based on a removal site evaluation the OSC has determined that the Site meets the criteria for initiating a Removal Action under Section 300.415 of the NCP. As a result of Site conditions, immediate action pursuant to Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), is needed at the Site.

Pursuant to Delegation 14-1-A, authority to obligate emergency CERCLA funding in the amount of \$200,000 to initiate removal/stabilization actions has been delegated to the OSC. The OSC has

approved the use of CERCLA funding to mitigate the threat to public health, welfare and the environment at the Mulberry Phosphate Site.

## II. BACKGROUND

Until December 1999, the Mulberry Phosphate company has operated two phosphate manufacturing facilities at Mulberry and Piney Point, Florida. The facilities process phosphate ore and sulfuric acid into fertilizer. Waste water generated from the process is stored in large impoundments and "gypsum stacks" that hold as much as one billion gallons of waste water. Over time the waste water leaches out from the gypsum stacks and is collected in drainage ditches and lagoons surrounding the stack. Due to a lack of capacity in the ditches and lagoons, recirculation pumps transport the waste water from the lagoons up to the top of the stacks in a closed loop system to prevent release. EPA has been notified by the FLDEP of the eminent shutdown of these facilities. If the recirculation pumps are not kept running, the waste water will be released from the facility's impoundments into nearby rivers and streams.

## III. THREAT

Section 300.415 of the NCP lists the factors to be considered in determining the appropriateness of a Removal Action. Paragraphs (b)(2) (i), (ii), (iii), (v), and (vii) directly apply as follows to the conditions at the Site:

- A. 300.415 (b)(2)(i) "Actual or potential exposure to nearby human populations, animals or the food chain from hazardous substances or pollutants or contaminants"

Catastrophic release(s) from the facilities would flow toward surface waters and overland to adjacent highways, businesses and residents, contaminating land and causing a disruption. Besides low pH, the waste water contains radium, aluminum, arsenic, lead, and other hazardous substances.

- B. 300.415 (b)(2)(ii) "Actual or potential contamination of drinking water supplies or sensitive ecosystems"

A release would immediately affect creeks and rivers in the area. A previous release destroyed aquatic life along a stretch of the Alafia River and Bay due to the low pH. A similar effect can be expected if a release occurred.

- C. 300.415 (b)(2)(iii) "Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that may pose a threat of release"

The waste water is contained in lagoons and the gypsum stacks that in time, is expected to

overflow. If not maintained, there is also a greater risk of a catastrophic release(s).

- D. 300.415 (b)(2)(v) "Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released"

The South Florida area has been under drought conditions for nearly three years. Even in drought conditions, release of the material is expected within 24 hours following a shutdown of pumping operations. Normal rain would only exacerbate the situation.

- E. F00.415 (b)(2)(vii) "The availability of other appropriate Federal or State response mechanisms to respond to the release"

The Florida Department of Environmental Protection does not have the resources available to respond in a timely manner. The FLDEP requested EPA's assistance due to the magnitude of the situation.

#### IV. SCOPE OF WORK

With the \$200,000 emergency funding, the OSC proposes to operate the facility's pumps and equipment to prevent off-site release of waste water. The removal action consists of the following activities:

- A. Continued operation of facility equipment. Daily operations are centered upon the operation and maintenance of recirculation pumps and impoundment levels.
- B. Continued maintenance of facility equipment to prevent emergency breakdowns.
- C. Ensure all plant utilities (power, fresh water, phone service, sewage system) remain operational.

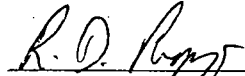
The authorized budget for this \$ 200K removal is:

EPA (Direct)	\$ 10,000
EPA (Indirect)	\$ 15,000
ERRS	<u>\$175,000</u>
<b>TOTAL</b>	<b>\$200,000</b>

## V. OSC ACTION

On February 2, 2001, the OSC determined that a threat to public health, welfare and the environment exists at the Site. The OSC activated \$200,000 and issued a Delivery Order to initiate a Removal Action to mitigate the threat to human health, welfare, and the environment. Additionally, the OSC has enlisted the assistance of the Florida Department of Environmental Protection.

Because the conditions at the Site meet the conditions set forth in Section 300.415 of the NCP for an immediate removal, the OSC has initiated funding of this Removal Action.

  
Ted Walden, OSC  
EPA-Region 4  
Atlanta, GA